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September 3, 2020

BY ECF

Honorable Denise L. Cote
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Zalmund Zirkind*, S9 19 Cr. 463 (DLC)
UNOPPOSED LETTER MOTION TO TEMPORARILY AMEND CONDITIONS
OF BOND TO PERMIT ATTENDANCE AT HIGH HOLIDAY AND OTHER
SERVICES

Dear Judge Cote:

On behalf of Mr. Zirkind, we submit this letter to request a temporary modification of the home confinement bail conditions for Mr. Zalman Zirkind. Previously, with the government's accord, on August 7, 2020, we sought the privilege of daily attendance at religious services during the course of home confinement. The Court ruled on August 12, "that the application to attend services at the Congregation Lubavitcher from Friday to Saturday evening, on the schedule described in the August 7 letter, is approved. IT IS FURTHER ORDERED that the remainder of the request is denied without prejudice to a future application." DE 82.

This application follows review and approval by Joshua Rothman of Pretrial Services of a detailed religious holiday service observance schedule and likewise review and no objection by AUSA Lake. Mr. Rothman describes the Defendant's behavior as compliant with all conditions since his release.

We respectfully request Your Honor's permission to amend the hours of home confinement to allow home confinement release from 6:30 a.m. to 10 p.m., September 18-October 11, 2020, except for September 21-24, and September 29-October 1, to permit religious observances at services at Congregation Lubavitch, for the following holidays: Yom Kippur, Rosh Hashanah, Sukkot (a time period Jewish Orthodox are commanded to only eat in a temporary hut, open on all four sides to the elements), Shemini Atzeret (the eighth day of Sukkot and a day the congregation must assemble), and Simchat Torah (a celebration of the Jewish Bible and the conclusion of reading a full cycle).

The Jewish High Holidays commence September 18. The Jewish New Year, Rosh Hashanah, precedes by 10 days the Day of Atonement, Yom Kippur. These holidays have great impact on those of Mr. Zirkind's religious orientation and perhaps, for obvious reasons, even more so this year. Mr. Zirkind, a Rabbi, acknowledges that he has much to pray for, repent for, and looks forward to the opportunity for the circumspection that the Jewish High Holidays help to focus.

We thank Your Honor for your review.

Respectfully submitted,

/s/ Neil M. Schuster

Neil M. Schuster

NMS:asnd

By ECF

Josh Rothman, PTS, Intensive Supervision Specialist

Stephanie Lake, AUSA

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